

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Belzeta Phillips,

Civil No. 08-6199 JNE/SRN

Plaintiff,

v.

ORDER

Barbara Leone,

Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated December 2, 2008. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed in forma pauperis, (Docket No. 2), is **DENIED**; and
2. This action is summarily **DISMISSED** for lack of jurisdiction.

DATED: _January 9, 2009.

s/ Joan N. Ericksen
Judge Joan N. Ericksen
United States District Court Judge